

# **ORDINANCE 1540**

## **AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, ADOPTING AMENDMENTS TO NORTH BEND MUNICIPAL CODE CHAPTERS 17.08.105(E) LOT LAYOUT AND DESIGN AND 18.10.040 TABLE OF BULK AND DIMENSIONAL STANDARDS**

**WHEREAS**, the City Council approved Ordinance 1530 on July 1, 2014, establishing interim regulations pertaining to NBMC Chapter 17.08.105(E) Lot Layout and Design and NBMC Chapter 18.10.040 Table of Bulk and Dimensional Standards, and directed the Planning Commission to review and recommend permanent amendments to the City Council following their consideration; and

**WHEREAS**, as required the City Council held a public hearing within 60 days of the adoption of Ordinance 1530 to hear public testimony regarding the interim zoning regulations on August 19, 2014; and

**WHEREAS**, the Planning Commission reviewed the interim regulations established by Ordinance 1530 at their July 10, July 24, August 14 and September 11 meetings; and

**WHEREAS**, pursuant to RCW 36.70A.106, the draft amendments were forwarded to Commerce Growth Management Services on August 20, 2014; and

**WHEREAS**, the Planning Commission held a public hearing on the proposed amendments at their September 11, 2014 meeting and received and considered public testimony on the amendments, which is attached hereto as Exhibit B; and

**WHEREAS**, on September 11, 2014 the Planning Commission provided their recommendation to the City Council regarding amendments to NBMC Chapter 17.08.105(E) Lot Layout and Design and Chapter 18.10.040 Table of Bulk and Dimensional Standards as provided in the attached Exhibit A; and

**WHEREAS**, the Council finds that the proposed NBMC amendments address and are consistent with the requirements of the Growth Management Act; and

**WHEREAS**, the Council finds the City followed procedural requirements of the NBMC Chapter 20.08 to notify and advertise amendments of the Code to the public and interested agencies and pursuant to this the Planning Commission and subsequently the City Council considered all written and verbal comments received during their respective processes;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:**

**Section 1.** The City Council adopts the amendments to NBMC Chapter 17.08.105(E) Lot Layout and Design and NBMC Chapter 18.10.040 Table of Bulk and Dimensional Standards as recommended by the Planning Commission and attached hereto as Exhibit A.

**Section 2. Severability:** Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

**Section 3. Effective Date:** This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 21<sup>ST</sup> DAY OF OCTOBER, 2014.**

**CITY OF NORTH BEND:**

**APPROVED AS TO FORM:**

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**Kenneth G. Hearing, Mayor**

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**Michael R. Kenyon, City Attorney**

**ATTEST/AUTHENTICATED:**

Published: October 29, 2014  
Effective: November 3, 2014

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**Susie Oppedal, City Clerk**